# THE PARTICULAR CASE OF THE GEORGIA LOYALISTS:

IN ADDITION TO THE

## GENERAL CASE AND CLAIM OF THE AMERICAN LOYALISTS,

WHICH WAS LATELY PUBLISHED BY ORDER OF THEIR AGENTS.

[FEBRUARY, 1783.]

# THE

# PARTICULAR CASE

## OF THE

# GEORGIA LOYALISTS, &c.

THE Loyaliſts of Georgia, in addition to the General Caſe of the American Loyaliſts, have the following facts and circumſtances to ſtate; many of which are not applicable to the Colonies in general, viz.

THAT the principal part of the Inhabitants, at the commencement of theſe troubles, which have ended ſo unexpectedly and unfortunately for Great Britain and themſelves, were well affected to his Majeſty's perſon and government, and attached to Great Britain.

THAT it was owing to this loyal diſpoſition, that the Houſe of Aſſembly, though repeatedly ſolicited by letters and emiſſaries from the Le-

giſlatures of ſome of the other Colonies, declined to concur with them, in reſolves calculated to ſupport their oppoſition to the Britiſh Government; by which means, and by the proteſts of a great many of the Inhabitants of Georgia, inſerted in the General Gazette of the Province, the meaſures of the diſaffected were defeated ſo far at leaſt, that no Delegates were appointed to go from Georgia to the Continental Congreſs in the year 1774; nor did any go, authoriſed by the Inhabitants in general, until late in the year 1775; when the diſaffected party increaſed ſo much, that the King's Governor, the Civil Officers, and many other Loyal Inhabitants were under the neceſſity of quitting the Province in the courſe of the year 1776; for no other cauſe, than their refuſal to ſwear allegiance to the Uſurpation, and to abjure their Lawful Sovereign.

That the Rebel Legiſlature in Georgia paſſed an act of their State in March 1778, for attainting the perſons, and confiſcating the eſtates, of the King's Civil Officers, and other Loyal Subjects, who had retired from, and been compelled to quit the Province! In conſequence of which, they proceeded to diſpoſe of the eſtates of ſuch perſons, and were actually going on with the ſales, when Lieutenant Colonel (now Brigadier General) Campbell arrived in December 1778, with a detachment

tachment of his Majeſty's troops, and reduced the Province to the King's obedience.

THAT Sir James Wright the Governor, Mr. Graham the Lieutenant Governor, and the other Civil Officers then in England, were commanded by his Majeſty to return to Georgia, and to reſume the exerciſe of their reſpective offices; which order they readily complied with, and arrived there in July 1779; when many of the Loyal inhabitants returned to the Province, and others ſubmitted to the King's authority, and the legal conſtitution was reſtored.

THAT in the month of September following, an attack was made upon the Province by the French General Compte D'Eſtaing, with a very formidable fleet and army, aided by a conſiderable body of American troops under General Lincoln, who together laid ſiege to the town of Savannah; and failing in other reſpects, after a ſiege of fifteen days *, attempted to reduce it by ſtorm on the 9th of October, in which they were

* The French landed the 12th of September, about fourteen miles from Savannah, and on the 15th Compte D'Eſtaing ſent a ſummons; which not being complied with, it took them from that time till the 24th to bring up their artillery, &c. &c. On the 24th, they broke ground, and next day ſome guns were fired againſt the town; which was continued till the 3d of October, when, in the night, they began to bombard; and on the 4th, at the firing of the morning gun, a moſt furious bombardment and cannonade began.

defeated

defeated with great loſs by the bravery of his Majeſty's troops, and the exertions of the King's Civil Officers and Loyal Militia, whoſe conduct on that memorable occaſion was very exemplary: And they bore their ſhare in all the fatigues and duties of that ſervice with fortitude, and for which they received the thanks of General Prevoſt, who commanded on that glorious day.

THAT after this, the French and American troops withdrew from Georgia; and on the 8th of March following, the King's Governor received, from his Majeſty's Secretary of State, a Letter, dated Whitehall, July 9, 1779, of which the following is an extract:

"THE proſecution of the war in America is "an object never to be loſt ſight of, until the "grand end of it is attained; and as appear-"ances are now ſo favourable, I truſt the forces "now there will be ſufficient for that purpoſe. "And I can venture to aſſure you, there is at "preſent no intention of withdrawing any part of "them. The King's faithful ſubjects may there-"fore *boldly* ſtand forth in ſupport of his Majeſty's "meaſures, and in defence of their liberties and "properties, *confiding in his Majeſty's moſt gra-"cious reſolution to protect them.*"

And on the 5th of April following, the Governor received another Letter from his Majeſty's Secretary of State, dated the 19th of January, 1780, which contained the following extract:

" The accounts brought by Captain Shaw, on " the 21ſt of December, from yourſelf and Major " General Prevoſt, of the defeat of the combined " forces of the French and Rebels which attacked " Savannah, by the perſevering reſolution and " intrepid valour of his Majeſty's troops, and " others of his faithful and zealous ſubjects, that " ſo cheerfully engaged in the defence of the " town, were received by the King with the " higheſt ſatisfaction; and his Majeſty com- " manded me to ſignify his Royal pleaſure to " Major General Prevoſt, that he ſhould acquaint " the troops, both officers and ſoldiers, and all " the King's other faithful ſubjects, who ſerved " under his command upon that glorious occa- " ſion, that their behaviour has met with the en- " tire approbation of their Sovereign. In this " general praiſe of all who acted well, yourſelf " and the Lieutenant-Governor are neceſſarily " included; but his Majeſty commands me to " expreſs to you, that he imputes much of the " ſucceſsful reſiſtance made to the enemy, to that " ardour and reſolution of which you gave the ex- " ample; it is alſo his Majeſty's pleaſure, that

" you

" you ſhould acquaint the Lieutenant-Governor, " that his Majeſty is fully ſatisfied with his zeal " and ſervices."

THIS encouragement, the recent ſucceſs, and the calm that ſucceeded over the whole Province, inſpired the King's Civil Officers, and other faithful ſubjects, with the utmoſt confidence; and thereupon the King's Governor, in the uſual manner, iſſued writs for a general election of Members to ſerve in the Houſe of Aſſembly; which were duly executed, and the Legiſlature of the province legally convened, which proceeded to paſs ſeveral laws for ſtrengthening the King's authority, and cementing the union between Great Britain and Georgia; for rendering the militia more ſerviceable; for raiſing works of defence by the labour of their ſlaves, and other local purpoſes; and more particularly a law *for granting a perpetual duty on the exports of the Province, as the contribution of Georgia towards a general fund for defraying the common expence of the Britiſh empire*; of which his Majeſty's approbation was ſignified in a Letter to the King's Governor from his Majeſty's Secretary of State, dated Whitehall, 2d Auguſt, 1781, of which the following is an extract:

EXTRACT

EXTRACT of a Letter to Sir James Wright, Bart. dated Whitehall, 2d Auguſt, 1781.

" HAVING, by his Majeſty's command, referred " to the conſideration of the Lords Commiſſioners " for Trade and Plantations, the Act for grant- " ing to his Majeſty certain duties upon the ex- " ported products of the Province, as the con- " tribution of Georgia to the general charge of " the Britiſh Empire, tranſmitted with your N° 40; " their Lordſhips, after conſidering it, repre- " ſented it to his Majeſty in Council, as proper " for his royal approbation, which it received " accordingly, as you will find by the incloſed " Order of his Majeſty in Council on the 22d of " June laſt, which I ſend you by his command, " and which you are to make public, in the " manner uſual upon ſuch occaſions. And I am " further commanded, to ſignify to you his Ma- " jeſty's pleaſure, that you do take the firſt oc- " caſion of a Meeting of the Council and Aſſem- " bly, to acquaint them, that his Majeſty has " received, with great ſatisfaction, the teſtimony " they have given of their zeal and affection for " his perſon, and firm attachment to the conſti- " tution, by paſſing the aforementioned Act; *and* " *to aſſure them that his loyal and faithful ſubjects of* " *Georgia may always rely upon his Majeſty's pro-* " *tection, and conſtant attention to their proſperity* " *and happineſs.*"

THAT confiding in theſe repeated Royal aſſur- ances of protection to the Loyaliſts in general,

and to thoſe of Georgia in particular, the King's faithful ſubjects there proceeded to reſettle their eſtates, at a conſiderable freſh expence, and to betake themſelves to their uſual occupations and profeſſions; and their proſpects from their induſtry were very promiſing, when, on the 14th of June 1782, a moſt unexpected Order was received, for immediately withdrawing the King's troops from thence, and evacuating that Province; in conſequence of which, the King's Civil Officers, and a conſiderable number of other Loyal Subjects, were under the neceſſity of abandoning their eſtates, and the very large and promiſing crops then on the ground nearly fit to reap; and to leave the Province with his Majeſty's troops; ſome retiring to the adjoining Province of Eaſt Florida, others to the iſland of Jamaica, and ſome few to New York and England.

That the Loyaliſts could do no otherwiſe than leave Georgia with the troops, for on their being withdrawn, and the cannon, &c. taken away, it became impoſſible for them to hold the province, or to defend Savannah, againſt the American forces; and becauſe the Rebel powers there had lately paſſed a new Act (an Extract of which is annexed), for inflicting penalties, and confiſcating the eſtates of ſuch perſons as are therein declared guilty of treaſon, &c. of whom the names of Two hundred and Eighty-ſix are particularly inſerted in the ſaid Act, which alſo includes in it a general clauſe againſt all other the former Inhabitants of Georgia, whom they

they pretended owed allegiance to their uſurped government, and who had aided or participated in the treaſonable practices charged to thoſe named in the ſaid Act, which of courſe included all who had reſided in the Province ſince its reduction, and adhered to the Cauſe of the Britiſh Government and Authority.

THAT the King's loyal and faithful Subjects, from the time of the reduction of the province by Colonel Campbell, to the evacuation thereof, cheerfully bore arms in ſupport of the Britiſh Government, and always, when required, aſſiſted on ſervice and duty with the King's troops; and otherwiſe behaved in ſo loyal and zealous a manner, as rendered them particularly obnoxious to the Revolters, in ſo much that while preparations were making to evacuate the Province, ſuch of the unfortunate Loyaliſts, who had large families, and were impelled, by urgent neceſſity, to offer to ſubmit to them, were refuſed permiſſion to remain in the country, on any other terms than that of *enliſting as private ſoldiers*; and ſeveral they would not receive on any terms.

EXTRACTS from an Act for inflicting Penalties, and confiſcating the Eſtates of ſuch Perſons as are therein declared guilty of Treaſon, and for other Purpoſes therein mentioned.

" WHEREAS on the 1ſt day of March, which " was in the year of our Lord 1778, an Act was " paſſed for attainting certain perſons therein " mentioned of treaſon, and confiſcating their " eſtates for the uſe and benefit of this State, " which ſaid Act has not been yet carried into full " execution: And whereas it is neceſſary, that the " names of the ſaid perſons ſo attainted by the " ſaid law, ſhould be inſerted in a law, with the " names of various other perſons who have, " ſince the aforeſaid time, been guilty of treaſon " againſt this State, and the authority of the " ſame, by traiterouſly adhering to the King of " Great Britain, and by aiding, aſſiſting, abetting, " and comforting the Generals, and other Offi- " cers, civil and military, of the ſaid King, to en- " force his authority in and over this State, and " the good people of the ſame. And whereas the " aforeſaid treaſons, and other atrocious crimes, " juſtly merit forfeiture of protection and pro- " perty: Be it enacted by the repreſentatives of " the Freemen of the State of Georgia in General " Aſſembly met, and by the authority of the ſame,

" that all and each of the following perſons, viz." [Here follows the names of Two hundred and Eighty-ſix perſons, late Inhabitants of Georgia] " be, and they are hereby declared to be baniſhed " from this State for ever; and if any of the afore- " ſaid perſons ſhall remain in this State ſixty days " after the paſſing of this Act, or ſhall return to " this State, the Governor or Commander in " Chief for the time being, is hereby authorized " and required to cauſe the perſons ſo remaining " in, or *returning* to, this State, to be apprehended " and committed to gaol, there to remain with- " out bail or mainprize, until a convenient op- " portunity ſhall offer for tranſporting the ſaid " perſons beyond the ſeas to ſome part of the " Britiſh King's dominions; which the Gover- " nor or Commander in Chief for the time being " is hereby required to do: *and if any of the ſaid* " *perſons ſhall return to this State after ſuch tranſ-* " *portation, then, and in ſuch caſe, be or they ſhall* " *be adjudged, and they are hereby declared to be,* " *guilty of felony, and ſhall, on conviction of their* " *having ſo returned as aforeſaid, ſuffer death,* " *without benefit of clergy.*

" And be it further enacted, by the authority " aforeſaid, that all and ſingular the eſtates real " and perſonal, of each and every of the aforeſaid " perſons, which they held, poſſeſſed, or were

" entitled

" entitled to, in law or equity, on the 19th " day of April 1775, or which they have held " ſince, or do hold in poſſeſſion, or others hold " in truſt for them, or to which they are or may " be intitled in law or equity, or which they may " have, hold, or be poſſeſſed of, in right of " others, together with all debts, dues, and de- " mands, of whatever nature, that are or may be " owing to the aforeſaid perſons, or either of " them, *be confiſcated to and for the uſe and benefit of* " *of this State*; and the monies ariſing from the " ſales which ſhall take place, by virtue of and " in purſuance of this Act, to be applied to " ſuch uſes and purpoſes as the Legiſlature ſhall " hereafter direct,

" And whereas divers other perſons, citizens " of this State, and owing allegiance thereto, " (whoſe names are not herein recited) did, in " violation of the ſaid allegiance, traiterouſly " aſſiſt, abet, and participate in the aforeſaid " treaſonable practices; be it therefore enacted, " by the authority aforeſaid, *that all and every* " *of the perſon or perſons under this deſcription ſhall,* " *on full proof and conviction of the ſame in a court* " *of law, be liable and ſubjected to all the like pains,* " *penalties, and forfeitures, inflicted by this Act on* " *thoſe offenders whoſe names are particularly men-* " *tioned therein.*

" And

" AND be it further enacted, That all debts, " dues, or demands, due or owing to merchants " or others reſiding in Great Britain, be, and they " are hereby ſequeſtered; and the Commiſſion- " ers appointed by this Act, or a majority of " them, are hereby empowered to recover, re- " ceive, and depoſit the ſame in the treaſury of " this State, in the ſame manner, and under the " ſame regulations, as debts confiſcated, there to " remain for the uſe of this State, until other- " wiſe appropriated by this or any other Houſe " of Aſſembly.

" AND whereas there are various perſons, " ſubjects of the King of Great Britain, poſſeſſed " of, or entitled to, eſtates real and perſonal, " which juſtice and ſound policy require ſhould be " applied to the benefit of this State, be it there- " fore enacted by the authority aforeſaid, That " all and ſingular the eſtates, real and perſonal, " belonging to perſons being Britiſh ſubjects, of " whatſoever kind or nature, which they may be " poſſeſſed of (except as before excepted *), or " others in truſt for them, or that they are or may " be intitled to in law or equity, and alſo all " debts, dues, or demands, owing or accruing " to them, be confiſcated to and for the uſe

* Except any debts and demands due or owing to Britiſh merchants, or others, reſiding in Great Britain, which ſhall be appropriated as herein after mentioned.

" and

" and benefit of this State; and the monies " ariſing from the ſale which ſhall take place by " virtue of and in purſuance of this act, to be " applied to ſuch uſes and purpoſes as the Legiſ- " lature ſhall hereafter direct.

" AND be it further enacted, by the Autho- " rity aforeſaid, That the State will and do gua- " rantee and defend the Commiſſioners appointed " by this act, or a majority of them, in all their " proceedings for carrying the powers and au- " thorities given them by the ſame into full ef- " fect; and will alſo *warrant and for ever defend* " all and every ſale or ſales which the ſaid Com- " miſſioners, or a majority of them, ſhall make, " to any purchaſer or purchaſers of any part or " parts of the real and perſonal eſtates confiſ- " cated by this Act."

" Auguſta, State of Georgia,
" 4th May, 1782."

THE END.

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